

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION
Civil Action No.**

Domere Sterling LaMarr Walker,

Plaintiff,

v.

Amazing Guys, Inc.; and Oleksandr Fumarov,

Defendants.

**NOTICE OF REMOVAL BY
DEFENDANTS AMAZING GUYS, INC. AND
OLEKSANDR FUMAROV**

Jury Trial Demanded

Now Come Defendants Amazing Guys, Inc.; and Oleksandr Fumarov and hereby remove this civil action to the United States District Court for the District of South Carolina pursuant to 28 U.S.C. 1441(a), and in support thereof states:

1. This is a civil action in which the Plaintiffs are seeking to recover from a motor vehicle accident in Spartanburg County, South Carolina.
2. Plaintiffs filed suit on January 19, 2022, in the Court of Common Pleas, Spartanburg County, South Carolina, which is within the Spartanburg Division of this Court. 28 U.S.C. § 121 (10). The Plaintiffs' original Summons and Complaint is attached to this Notice. (**Exhibit A:** Summons and Complaint).
3. In his Complaint, Plaintiff alleges that he is a resident of Missouri. (¶ 2).
4. Defendant Amazing Guys, Inc. is a corporation organized and existing under the laws of the State of Illinois.
5. Defendant Oleksandr Fumarov is a resident of Florida.

6. Certain actions brought in state court may be removed to Federal Court pursuant to 28 U.S.C § 1441 (a). The procedure for removal to Federal Court is governed by 28 U.S.C. § 1446.

7. There is complete diversity of citizenship between the Plaintiff and Defendants. Plaintiff is a citizen of the State of Missouri, Defendant Amazing Guys, Inc., is a corporation organized and existing under the laws of the State of Illinois and Defendant Oleksandr Fumarov is a resident of Florida.

7. The Plaintiffs' Complaint does not state a specific amount of damages being sought. However, the Plaintiffs' damages allegations are sufficient to establish the amount in controversy as greater than \$75,000. (Complaint, ¶¶ 12 – 13, Prayer at p.7). Additionally, the Plaintiff's pre-suit demand was for \$125,000. As such, the amount in controversy is satisfied. *See Woodward v. Newcourt Commercial Finance Corp.*, 60 F. Supp. 2d 530 (D.S.C. 1999).

8. Moreover, this case is removed within 30 days of the Defendants receiving written notice of the Plaintiff's Complaint.

9. Pursuant to the provisions of 28 U.S.C. § 1446 (a), Defendants are attaching all process and pleadings served by it or to it in the state court action. (**Exhibit A**).

10. The Defendants will provide notice of this removal to the Clerk of Court of the Spartanburg County Court of Common Pleas and shall request an Acknowledgement from the Clerk and, upon receipt, will file it with this Court.

WHEREFORE, Defendants respectfully file this Notice of Removal so that this case may proceed in the United States District Court, District of South Carolina, Spartanburg Division and that no further proceedings be held in said case in the Court of Common Pleas, County of

Spartanburg, State of South Carolina, and for such other further relief as the Court deems just and proper in the circumstances.

MURPHY & GRANTLAND, P.A.

s/John M. Grantland

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Attorneys for Defendant

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January 24, 2022